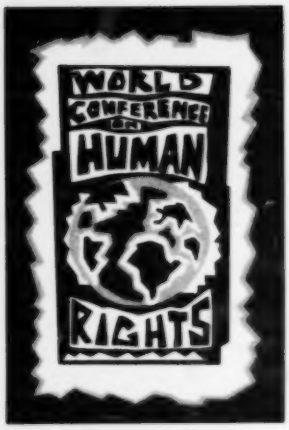

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HUMAN RIGHTS AND PEACE-KEEPING: A LOOK AT CAMBODIA

The end of the Cold War and the withdrawal of the Superpowers from national conflicts in Asia, Africa and Latin America have not always brought the peace dividend expected. Bitter fighting has often continued and, in some countries, economic and social life has been so devastated by years of war that the state itself has weakened to the point of collapse.

In countries like Cambodia, Afghanistan, Somalia, Angola, Mozambique, El Salvador and now Haiti, the United Nations has been called in to make peace between warring factions and begin the process of national reconstruction. In some cases, the UN has suddenly found itself faced with the challenge of assisting in rebuilding state and social structures, while containing the virulent forces of ethnic hatred and renewed authoritarianism.

In these new peace-keeping and nation-building roles, the United Nations has consciously incorporated human rights promotion and protection at the heart of its programmes. Together with the promotion of democratic policies, respect for human rights is seen as essential to the long-term stability so desperately needed by these ravaged societies. This human rights component in UN peace-keeping activities has been most developed in El Salvador and in the Southeast Asian programme of the United Nations Transitional Authority in Cambodia (UNTAC).

UNTAC in Cambodia

The framers of the Paris Peace Accords, which formally ended two decades of civil war and foreign intervention in Cambodia, included an unprecedented human rights mandate for the United Nations. UNTAC, established by the Accords, was charged with controlling five key areas of administration to create a "neutral political environment" for "free and fair elections" in May 1993, which in turn would lead to the drafting and adoption of a new democratic constitution. Additionally, UNTAC would monitor and report on violations of human rights abuses, taking "corrective action" where necessary and conducting a broad programme of human rights education in a country whose recent history had become a symbol for the massive abuse of state and military power.

Although UNTAC had a separate human rights component, the organization was structured so that all parts of its operation would assist in the protection of human rights. In particular, it was hoped that UNTAC's mandate to "control" five key areas of administration, including defense and public security, would work to end abuses by local authorities.

Education was envisaged as the cornerstone of UNTAC's human rights activities. Given Cambodia's recent past, it was seen as imperative that information about basic rights and freedoms be widely disseminated to help support new democratic processes. Over the past year, UNTAC has conducted hundreds of seminars and training sessions for various groups such as university students, journalists, health-care workers, police, judicial officers and political party members. Hundreds of additional briefings for the general population have emphasised those rights closely related to the elections. Television and radio programmes have been produced and broadcast, and new human rights curricula for schools have been developed.

UNTAC has found a great demand for human rights education, reflecting perhaps the deep desire on the part of the people for a radical break with the recent past. The continuation of international support for education projects, particularly the training of officials and others directly involved in implementing human rights, will be critical in further strengthening Cambodia's new democracy.

The other major part of UNTAC's human rights activities has been the monitoring of "existing administrative structures", the investigation of allegations of human rights violations, and the taking of appropriate redress measures.

Since key aspects of the Cambodia peace plan did not proceed as envisaged, most notably the demobilization of soldiers, exercising control over local administration and monitoring human rights violations committed by Cambodian authorities became more important.

Restraint on Violence

The exercise of "control" in order to secure a neutral political environment and end human rights abuses would have been a daunting task even if the peace process had gone exactly as planned, given the time frame involved and the resources available to UNTAC. With the refusal of the Party of Democratic

Kampuchea (the Khmer Rouge) to demobilize its troops and enter the process (which led to all factions not demobilizing), and related resistance to close UNTAC supervision of the Government's security apparatus, UNTAC was unable to prevent mounting political violence and intimidation.

The unwillingness of Cambodian authorities to properly investigate, apprehend and prosecute people suspected of involvement in political violence compelled UNTAC to undertake its own arrests and prosecutions. This unprecedented step by a UN peace-keeping operation, taken late in 1992, has helped to stem political violence. The prosecution of arrested suspects remains problematic, given the absence of a fully independent judiciary, but some messages of accountability of violators have resulted.

One increasing preoccupation of UNTAC has been the ethnic killings which have taken place and which have thus far claimed over one hundred lives. Attacks against ethnic Vietnamese civilians by units of the National Army of Democratic Kampuchea (the Khmer Rouge army) have been accompanied by racist rhetoric from several parties inciting ethnic hatred.

It is likely that in other future peace-keeping operations, similar ethnic violence to promote the political agenda of one or more parties will be used, given the fragility of local societies and the absence of strong national leadership. While issues fuelling ethnic rivalries can only be resolved over a period of time and by local leaders, immediate measures, such as providing security to vulnerable populations and public information campaigns to defuse tensions and reduce violence, can be undertaken by the UN.

In all of its human rights activities, UNTAC has found it necessary to work closely with the local non-governmental community. The very nature of human rights work, which often involves confronting misuse of power by state authorities, means that the UN cannot simply rely upon cooperation with governmental bodies. By encouraging the development of indigenous human rights organizations, as well as working to strengthen other aspects of civil society such as a free press, UNTAC has complemented traditional diplomacy with more popularly oriented approaches.

Long-term Stability

If the United Nations presence in Cambodia is to lead to genuinely democratic government and long-term stability, the social and governmental institutions vital for the protection of basic human rights need to be developed. These include an independent judiciary, a free press, viable state institutions capable of providing basic social services, an educated professional class, and indigenous non-governmental organizations able and willing to promote the interests of civil society.

Elections alone cannot guarantee political freedom and representative government. The rebuilding of institutions is a vital area in which the international community must invest for the next generations if multifaceted UN peace-keeping operations of this type are to be successful.

This is clearly a long-term process but one which must start with the peace-keeping operation itself. Maintaining peace is only possible in the long term with effective state structures, law and order, and a degree of economic stability. The immediate reform or rebuilding of governmental institutions, the enforcement of law and order and emergency economic rehabilitation are key aspects of moving towards respect for basic human rights in those countries, similar to Cambodia, where the UN is increasingly being asked to play a highly interventionist role.

In addition, however, as part of its mandate under the Paris Peace Accords, UNTAC is responsible for supervising free and fair elections and the transition to liberal democratic government. This entails that the basic civil and political rights essential for this transition must also be in place, such as freedom of assembly, freedom of movement and freedom of expression.

Human rights in peace-keeping operations must be part of an integrated approach aimed at reasserting non-repressive state control where no effective state institutions exist, while at the same time strengthening the essential institutions of civil society. All this must be supported by firm measures to rehabilitate the economy and improve popular welfare.

If human rights is not seen as part of such an integrated approach, and if international commitment and support to this process stops with the peace-keeping operation following elections, massive international intervention through the UN in states such as Cambodia will be unlikely to achieve its objective of establishing a lasting and democratic peace.

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